

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

51382 GRATIOT AVENUE HOLDINGS, LLC,

Plaintiff/Counter-Defendant,

v.

Case No. 2:11-cv-12047

CHESTERFIELD DEVELOPMENT
COMPANY, LLC and JOHN DAMICO,

Defendants/Counter-Plaintiffs/
Third-Party Plaintiffs,

v.

MORGAN STANLEY CAPITAL, INC.,

Third-Party Defendant.

**ORDER GRANTING PLAINTIFF'S EX PARTE MOTION TO FILE SUPPLEMENTAL
BRIEF IN RESPONSE TO DEFENDANTS' SUPPLEMENTAL BRIEF**

Before the court is Plaintiff's *ex parte* motion to file a three-page supplemental brief in support of its pending motions for summary judgment, which the court has taken under advisement after hearing oral argument on November 16, 2011. On November 28, 2011, the court granted in a text order Defendants' motion to file a three-page supplemental brief to address issues raised in the motion hearing. In the interest of fairness, the court will allow Plaintiff to file its own, three-page supplemental brief in response. However, the court will not entertain any more motions for additional briefing from either party. Accordingly,

IT IS ORDERED that Defendants' *ex parte* motion to file a supplemental brief in response to Defendants' supplemental brief [Dkt. # 86] is GRANTED.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: December 12, 2011

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, December 12, 2011, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522